

STATE OF WISCONSIN
Assembly Journal
Eighty-Eighth Regular Session

10:00 A.M.

TUESDAY, February 9, 1988

The assembly met.

Speaker Loftus in the chair.

The prayer was offered by Representative Wood.

Representative Bolle led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bock, Bolle, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Huelsman, Johnsrud, Junkermann, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Magnuson, Medinger, Merkt, Musser, Nelsen, Neubauer, Notestein, Ott, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robinson, Robson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Tregoning, Turba, Underheim, Vanderperren, Van Dreel, Van Gorden, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, York, Young, Zeuske, Zweck and Speaker Loftus — 98.

Absent — None.

Absent with leave — Travis — 1.

Vacancies — None.

AMENDMENTS OFFERED

Assembly substitute amendment 2 to **Assembly Bill 99** offered by Representative Clarenbach.

Assembly amendment 1 to **Assembly Bill 175** offered by Representatives Tesmer and Young.

Assembly amendment 1 to **Assembly Bill 566** offered by Representative Volk.

Assembly amendment 1 to **Assembly Bill 614** offered by Representatives Vanderperren, Mark Lewis, Roberts and Porter.

Assembly amendment 1 to **Assembly Bill 766** offered by committee on Urban and Local Affairs.

Assembly amendment 1 to **Senate Bill 91** offered by committee on Urban and Local Affairs.

Assembly amendment 1 to **Senate Bill 476** offered by Representative Radtke.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 89

Relating to the outstanding public service and dedication of Mayor Lawrence Kelly.

By Representative Grobschmidt, cosponsored by Senator Plewa.

To committee on Rules.

Assembly Bill 896

Relating to licensure of ambulance attendants.

By Representatives Vanderperren, Porter, Hasenohrl and Welch, cosponsored by Senators Andrea, Kincaid, Van Sistine, Roshell and Moen.

To committee on Health.

Assembly Bill 897

Relating to compulsory school attendance, grants for tutoring programs and before- and after-school day care and the requirement that certain recipients of aid to families with dependent children attend school.

By Representatives Antaramian, Zeuske, Welch, Fergus and Rosenzweig, cosponsored by Senators Plewa and Cowles.

To committee on Children and Human Services.

Assembly Bill 898

Relating to membership of the council on veterans programs.

By Representatives Bolle, Notestein, Young, Swoboda, Grobschmidt, Van Dreel, M. Coggs, Robson, Krug, Tesmer, Hubler, Medinger, Becker, Holperin, Hasenohrl, Carpenter, Gronemus, Boyle, Holschbach, Roberts, Hamilton, Black, Neubauer, Brandemuehl, Ott, Johnsrud, Goetsch, Van Gorden, Schmidt, Musser, Schneiders, Zeuske, Panzer, Turba, Schultz, Tregoning, Radtke, Vergeront, Coleman, Walling, Underheim and Prosser, cosponsored by Senators Plewa, Ulichny, Andrea, Czarnecki, Roshell, Kreul, Cowles, Chilsen, Buettner, Rude and Lasee.

To committee on Veterans and Military Affairs.

Assembly Bill 899

Relating to selling property to the city of Milwaukee.

By Representatives Loftus, Bock, Carpenter, Barrett, Notestein, Hauke, Radtke, Barca, Becker, Tesmer.

Seery, Boyle, Fortis and Gruszynski, cosponsored by Senators Norquist and Czarnecki.

To committee on Ways and Means.

Assembly Bill 900

Relating to penalties for reckless driving.

By Representatives Hasenohrl, Vanderperren, Fortis, Becker, Underheim, Brandemuehl, Schmidt, Hamilton, Gronemus and Brancel, cosponsored by Senators Helbach and Weeden.

To committee on Criminal Justice and Public Safety.

Assembly Bill 901

Relating to intervention by the public intervenor and creating a public intervenor board.

By Representatives Junkermann, Vanderperren, Welch, Schmidt, Gard, Van Dreel, Turba, Nelsen, Schultz, Vergeront, Farrow, Brancel, Bradley, Musser, Goetsch and Huelsman, cosponsored by Senators Van Sistine, Cowles, Lasee, Roshell and Kreul.

To committee on Judiciary.

Assembly Bill 902

Relating to roads and driveways on the grounds of public schools.

By Representative Fergus, cosponsored by Senator Strohl.

To committee on Highways.

Assembly Bill 903

Relating to the private interests of public officers and employes in certain public contracts.

By Representatives Ott, Black, Mark Lewis, Zweck, Volk, Seery, Holperin, Prosser, Turba, Panzer, Radtke, Johnsrud, Schultz, Welch, Brancel, Goetsch, Rosenzweig, Schmidt, Brandemuehl, Zeuske, Musser, Deininger and Junkermann, cosponsored by Senators Moen, Roshell, Lasee, Kreul, Leean and Cowles.

To committee on State Affairs.

Assembly Bill 904

Relating to prohibiting required payment for copies of patient health care records or X-ray reports or for referral of X-ray reports and providing a penalty.

By Representatives Carpenter, Robinson, Young, Tregoning, Grobschmidt, Clarenbach, Brancel, Boyle, M. Coggs, Bolle, Becker, Seery, Fortis, Schneiders and Turba.

To committee on Health.

Assembly Bill 905

Relating to tuition for undergraduates at the university of Wisconsin system and granting rule-making authority.

By Representatives Clarenbach, M. Coggs, Shoemaker, Hasenohrl, Berndt, Medinger, Black, Larson, Gruszynski, Fortis, Boyle, Bock, Antaramian, Wineke, Notestein, Young, Carpenter, Robson, Seery, Hubler, Kunicki, Looby, Roberts, Becker, S. Coggs, Magnuson, Junkermann and Loftus, cosponsored by Senators Helbach, Harsdorf, Risser, Jauch, Strohl, Moen and Chvala.

To committee on Colleges and Universities.

Assembly Bill 906

Relating to county retention of recovered public assistance overpayments.

By Representatives Krusick, Nelsen, Barca, Berndt, Brancel, Hamilton, Junkermann, Musser, Panzer, Radtke, Schneiders, Volk and Holschbach, cosponsored by Senators Plewa, Czarnecki, Andrea and Buettner.

To committee on Children and Human Services.

Assembly Bill 907

Relating to state civil service affirmative action and appointment procedures concerning veterans and handicapped persons.

By Representatives Looby, Bolle, Hasenohrl, Swoboda, Vanderperren, Van Gorden, Antaramian, Tesmer, Thompson, Byers, Larson, Becker, Hamilton, Gronemus, Fergus, Bradley, S. Coggs, Volk, Gruszynski, Porter, Hauke, Clarenbach, Berndt, Foti, Walling, Radtke, Ladwig, Johnsrud, Lepak, Fortis, Deininger, Brandemuehl, Wimmer, Grobschmidt, Medinger, Musser, Schultz and McEssy, cosponsored by Senators Van Sistine, Plewa, Andrea, Roshell, Kincaid, Moen, Chvala, Lasee, Rude, Kreul and Chilsen, by request of Wisconsin Department of Veterans Affairs.

To committee on Labor.

Assembly Bill 908

Relating to presentence investigation reports.

By Representatives Wood, Schneiders, Goetsch, Becker and Foti, cosponsored by Senators Adelman, Lorman and Plewa.

To committee on Criminal Justice and Public Safety.

Assembly Bill 909

Relating to refunds of sales tax under the new motor vehicle warranty law and making an appropriation.

By Representatives Wood, Holschbach, Potter, Roberts, Tregoning, Gruszynski, Gronemus, Barrett, Ladwig, Carpenter, Notestein, Fortis, Robson, Musser, Brandemuehl, Deininger, Schneiders, Radtke, Van Dreel, Johnsrud, Underheim, Junkermann, Farrow, Magnuson, Barca and Panzer, cosponsored by Senators Jauch, Feingold, Engeleiter, Andrea, Roshell, Rude and Buettner.

To committee on Ways and Means.

Assembly Bill 910

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc., for the 1987-89 biennium, covering employes in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

To calendar.

Assembly Bill 911

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin Science Professionals, AFT, Local 3732, for the 1987-89 biennium, covering employes in the professional science collective bargaining unit, and authorizing an expenditure of funds.

JOURNAL OF THE ASSEMBLY [February 9, 1988]

By Joint Committee on Employment Relations.
To calendar.

Assembly Bill 912

Relating to the salary of the secretary of employe trust funds.

By Joint Committee on Employment Relations.
To calendar.

Assembly Bill 913

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employees Union, AFSCME Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1987-89 biennium, covering employes in the professional research, statistics and analysis collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.
To calendar.

Assembly Bill 914

Relating to state aid to school districts and county handicapped children's education boards for summer classes.

By Representatives York, Notestein, Volk, Bolle, Turba, Brandemuehl, Schneiders, Van Gorden, Ladwig, Walling, Brancel, Ott, Schmidt, Farrow, Underheim and Junkermann, cosponsored by Senators Roshell and Cowles.

To committee on Education.

Assembly Bill 915

Relating to the interstate acquisition of bank holding companies that own recently chartered banks.

By Representatives Fergus, Neubauer, Antaramian, Loftus, Barca, Fortis, Carpenter, Margaret Lewis, Lepak, Huelsman and Schultz, cosponsored by Senators Strohl, Andrea, George, Plewa, Rude, Jauch and Weeden.

To committee on Financial Institutions and Insurance.

COMMITTEE REPORTS

The committee on Excise and Fees reports and recommends:

Assembly Bill 558

Relating to preparation and distribution of a booklet explaining alcohol beverages laws.

Adoption of assembly amendment 1:
Ayes: (11) Noes: (0)

Passage: Ayes: (11) Noes: (1)
To committee on Rules.

Assembly Bill 614

Relating to payment of fees for licenses to sell alcohol beverages.

Passage: Ayes: (10) Noes: (1)
To committee on Rules.

VIRGIL ROBERTS
Chairperson

The committee on Environmental Resources and Utilities reports and recommends:

Assembly Bill 753

Relating to establishing and enforcing energy efficiency standards for certain appliances, granting rule-making authority, making an appropriation and providing penalties.

Adoption of assembly substitute amendment 1:
Ayes: (11) Noes: (3)

Passage: Ayes: (11) Noes: (3)
To Joint Committee on Finance.

THOMAS SEERY
Chairperson

The Joint Committee on Finance reports and recommends:

Assembly Bill 247

Relating to employer testing of employes for the presence of controlled substances and granting rule-making authority.

Adoption of assembly amendment 1 to assembly substitute amendment 1: Ayes: (15) Noes: (0)

Adoption of assembly substitute amendment 1:
Ayes: (12) Noes: (3)

Passage: Ayes: (13) Noes: (2)
To committee on Rules.

MARLIN SCHNEIDER
Assembly Chairperson

The committee on Health reports and recommends:

Assembly Joint Resolution 52

Relating to the inequity of medicare payments between rural and urban hospitals.

Adoption: Ayes: (15) Noes: (0)
To committee on Rules.

Senate Joint Resolution 29

Relating to the inequity of medicare payments between rural and urban hospitals.

Concurrence: Ayes: (15) Noes: (0)
To committee on Rules.

JOHN ROBINSON
Chairperson

The committee on Natural Resources reports and recommends:

Senate Bill 364

Relating to funding for state parks and recreation areas and making an appropriation.

JOURNAL OF THE ASSEMBLY [February 9, 1988]

Adoption of assembly amendment 2:
Ayes: (10) Noes: (2)

Adoption of assembly amendment 3:
Ayes: (12) Noes: (0)

Concurrence: Ayes: (12) Noes: (0)
To committee on Rules.

SPENCER BLACK
Chairperson

The committee on State Affairs reports and recommends:

Assembly Bill 844

Relating to creating a racing board and regulating horse racing, dog racing and on-track pari-mutuel betting, income tax withholding, alcohol beverages permits for racetracks, granting rule-making authority, providing penalties and making appropriations.

Adoption of assembly substitute amendment 1:
Ayes: (13) Noes: (0)

Passage: Ayes: (12) Noes: (1)
To Joint Committee on Finance.

RICHARD SHOEMAKER
Chairperson

CALENDAR OF FRIDAY, FEBRUARY 5

Assembly Bill 449

Relating to the milk fat content of whey cream.

Representative Hauke asked unanimous consent that **Assembly Bill 449** be placed at the foot of the twelfth order of business on the calendar of Tuesday, February 9. Granted.

LEAVES OF ABSENCE

Representative Hauke asked unanimous consent for a leave of absence for today's session for Representative Travis. Granted.

Representative Thompson asked unanimous consent that the assembly stand recessed for thirty minutes. Granted.

The assembly stood recessed.

10:11 A.M.

RECESS

11:05 A.M.

The assembly reconvened.

CALENDAR OF TUESDAY, FEBRUARY 9

Assembly Bill 154

Relating to fees of sheriffs, police, marshals and constables.

The question was: Shall senate amendment 1 to **Assembly Bill 154** be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 154** be immediately messaged to the senate. Granted.

Assembly Bill 205

Relating to granting legal custody, periods of physical placement and visitation in an action affecting the family and making an appropriation.

The question was: Shall senate amendment 1 to **Assembly Bill 205** be concurred in?

Motion carried.

The question was: Shall senate amendment 2 to **Assembly Bill 205** be concurred in?

Motion carried.

Representative Nelsen moved nonconcurrence in senate amendment 3 to **Assembly Bill 205**.

The question was: Shall senate amendment 3 to **Assembly Bill 205** be nonconcurred in?

The roll was taken.

The result follows:

Ayes — Barca, Black, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Clarenbach, Coleman, Fortis, Gronemus, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Johnsrud, Junkermann, Krug, Ladwig, Larson, Margaret Lewis, Linton, McEssy, Magnuson, Medinger, Merkt, Musser, Nelsen, Notestein, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rosenzweig, Schmidt, Schneiders, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Tregoning, Turba, Unterheim, Vanderperren, Van Gorden, Vergeront, Volk, Welch, Wimmer, Wood, York, Young, Zeuske and Zweck — 63.

Noes — Antaramian, Barrett, Becker, Bell, Berndt, Bock, Bolle, Coggs, M., Coggs, S., Deininger, Farrow, Fergus, Foti, Gard, Goetsch, Grobschmidt, Gruszynski, Hamilton, Huelsman, Krusick, Kunicki, Lepak, Mark Lewis, Looby, Neubauer, Ott, Robinson, Rutkowski, Schneider, Schober, Van Dreel, Walling, Williams, Wineke and Speaker Loftus — 35.

Absent or not voting — Travis — 1.

Motion carried.

Representative Wineke asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 205** be immediately messaged to the senate. Granted.

MOTIONS

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 454** be withdrawn from the committee on Elections and referred to the committee on Government Operations and Aging. Granted.

Representative Hauke asked unanimous consent that **Assembly Bill 76** be withdrawn from the committee on Urban and Local Affairs and referred to the committee on Government Operations and Aging. Granted.

Speaker pro tempore Clarenbach in the chair.

Assembly Bill 201

Relating to the use of photographs in certain criminal actions and proceedings.

The question was: Shall **Assembly Bill 201** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 201** be given a third reading. Granted.

The question was: **Assembly Bill 201** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 201** be immediately messaged to the senate. Granted.

Assembly Bill 563

Relating to membership of the county community programs board.

The question was: Shall **Assembly Bill 563** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 563** be given a third reading. Granted.

The question was: **Assembly Bill 563** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 563** be immediately messaged to the senate. Granted.

Assembly Bill 638

Relating to establishing a volunteer advocate project for residents of nursing homes, granting rule-making authority and making an appropriation.

The question was: Shall assembly amendment 1 to **Assembly Bill 638** be adopted?

Motion carried.

Assembly amendment 1 to assembly amendment 2 to **Assembly Bill 638** offered by Representatives Krusick and Robinson.

The question was: Shall assembly amendment 1 to assembly amendment 2 to **Assembly Bill 638** be adopted?

Motion carried.

Representative Prosser moved rejection of assembly amendment 2 to **Assembly Bill 638**.

The question was: Shall assembly amendment 2 to **Assembly Bill 638** be rejected?

The roll was taken.

The result follows:

Ayes — Berndt, Bradley, Brancel, Brandemuehl, Byers, Coleman, Deininger, Farrow, Foti, Gard, Goetsch, Gronemus, Holschbach, Huelsman, Johnsrud, Junkermann, Ladwig, Lepak, Margaret Lewis, McEssy, Merkt, Nelsen, Ott, Panzer, Porter, Prosser, Radtke, Roberts, Rosenzweig, Schmidt, Schneiders, Schober, Schultz, Swoboda, Tregoning, Turba, Van Gorden, Vergeront, Walling, Welch, Williams, Wimmer, Wood and York — 44.

Noes — Antaramian, Barca, Barrett, Becker, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Hubler, Krug, Krusick, Kunicki, Larson, Mark Lewis, Linton, Looby, Magnuson, Medinger, Musser, Neubauer, Notestein, Ourada, Paulson, Potter, Robinson, Robson, Rutkowski, Schneider, Seery, Shoemaker, Tesmer, Thompson, Underheim, Vanderperren, Van Dreel, Volk, Wineke, Young, Zeuske, Zweck and Speaker Loftus — 54.

Absent or not voting — Travis — 1.

Motion failed.

Representative Prosser moved that assembly amendment 2 to **Assembly Bill 638** be laid on the table.

The question was: Shall assembly amendment 2 to **Assembly Bill 638** be laid on the table?

The roll was taken.

The result follows:

Ayes — Berndt, Bradley, Brancel, Brandemuehl, Byers, Coleman, Deininger, Farrow, Foti, Gard, Goetsch, Gronemus, Huelsman, Johnsrud, Junkermann,

Ladwig, Margaret Lewis, McEssy, Merkt, Nelsen, Ott, Panzer, Porter, Prosser, Radtke, Roberts, Rosenzweig, Schmidt, Schneiders, Schober, Schultz, Swoboda, Tregoning, Turba, Van Gorden, Vergeront, Walling, Welch, Williams, Wimmer and York — 41.

Noes — Antaramian, Barca, Barrett, Becker, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Krusick, Kunicki, Larson, Lepak, Mark Lewis, Linton, Looby, Magnuson, Medinger, Musser, Neubauer, Notestein, Ourada, Paulson, Potter, Robinson, Robson, Rutkowski, Schneider, Seery, Shoemaker, Tesmer, Thompson, Underheim, Vanderperren, Van Dreel, Volk, Wineke, Wood, Young, Zeuske, Zweck and Speaker Loftus — 56.

Absent or not voting — Krug and Travis — 2.

Motion failed.

POINT OF ORDER

Representative Prosser rose to the point of order that assembly amendment 2 to **Assembly Bill 638** was not germane under Assembly Rule 54 (3)(a) and (f).

The chair (speaker pro tempore Clarenbach) ruled the point of order not well taken.

LEAVES OF ABSENCE

Representative Hauke asked unanimous consent for a leave of absence for the balance of today's session for Representative Vanderperren. Granted.

The question was: Shall assembly amendment 2 to **Assembly Bill 638** be adopted?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Krug, Krusick, Kunicki, Larson, Lepak, Mark Lewis, Linton, Looby, Magnuson, Medinger, Musser, Neubauer, Notestein, Ourada, Paulson, Potter, Radtke, Robinson, Robson, Rutkowski, Seery, Swoboda, Tesmer, Thompson, Underheim, Van Dreel, Volk, Williams, Wineke, Young, Zeuske, Zweck and Speaker Loftus — 57.

Noes — Bradley, Brancel, Brandemuehl, Byers, Coleman, Deininger, Farrow, Foti, Gard, Goetsch, Gronemus, Huelsman, Johnsrud, Junkermann, Ladwig, Margaret Lewis, McEssy, Merkt, Nelsen, Ott, Panzer, Porter, Prosser, Roberts, Rosenzweig, Schmidt, Schneiders, Schober, Schultz, Tregoning, Turba,

Van Gorden, Vergeront, Walling, Welch, Wimmer, Wood and York — 38.

Absent or not voting — Schneider, Shoemaker, Travis and Vanderperren — 4.

Motion carried.

Representative Schneider asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Assembly amendment 3 to **Assembly Bill 638** offered by Representatives Nelsen and Krusick.

The question was: Shall assembly amendment 3 to **Assembly Bill 638** be adopted?

Motion carried.

Assembly amendment 4 to **Assembly Bill 638** offered by Representatives Nelsen and Krusick.

The question was: Shall assembly amendment 4 to **Assembly Bill 638** be adopted?

Motion carried.

Assembly amendment 5 to **Assembly Bill 638** offered by Representatives Krusick, Nelsen, Margaret Lewis and Robinson.

The question was: Shall assembly amendment 5 to **Assembly Bill 638** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 638** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 638** be given a third reading. Granted.

The question was: **Assembly Bill 638** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Bell, Berndt, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Fergus, Fortis, Foti, Gard, Grobschmidt, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Johnsrud, Junkermann, Krug, Krusick, Ladwig, Larson, Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Magnuson, Medinger, Merkt, Musser, Neubauer, Notestein, Ourada, Panzer, Paulson, Porter, Potter, Radtke, Robinson, Robson, Rosenzweig, Rutkowski, Schneider, Schneiders, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Tregoning, Van Dreel, Volk, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zweck and Speaker Loftus — 72.

Noes — Becker, Bradley, Brancel, Brandemuehl, Byers, Farrow, Goetsch, Gronemus, Huelsman, Kunicki, Lepak, Nelsen, Ott, Prosser, Roberts, Schmidt, Schober, Schultz, Turba, Underheim, Van Gorden, Vergeront, Walling, Welch and York — 25.

Absent or not voting — Travis and Vanderperren — 2.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 638** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the assembly stand recessed until 2:00 P.M. Granted.

The assembly stood recessed.

11:58 A.M.

RECESS

2:05 P.M.

The assembly reconvened.

Speaker Loftus in the chair.

Representative Hauke asked unanimous consent for a quorum call. Granted.

A quorum was present.

Assembly Bill 642

Relating to controlled substances and providing penalties.

Representative Medinger moved rejection of assembly amendment 1 to **Assembly Bill 642**.

Representative Mark Lewis in the chair.

The question was: Shall assembly amendment 1 to **Assembly Bill 642** be rejected?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bock, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Gronemus, Gruszynski, Hamilton, Hasenohrl, Holschbach, Krug, Kunicki, Mark Lewis, Magnuson, Medinger, Merkt, Musser, Neubauer, Notestein, Roberts, Robinson, Robson, Schneider, Seery, Shoemaker, Van Dreel, Williams, Wineke, Young and Speaker Loftus — 40.

Noes — Bolle, Bradley, Brancel, Brandemuehl, Byers, Coleman, Deininger, Farrow, Foti, Gard, Goetsch, Grobschmidt, Hauke, Holperin, Hubler, Huelsman, Johnsrud, Junkermann, Krusick, Ladwig, Larson, Lepak, Margaret Lewis, Linton, Looby, McEssy, Nelsen, Ott, Ourada, Panzer, Paulson, Porter, Prosser, Radtke, Rosenzweig, Rutkowski, Schmidt, Schneiders, Schober, Schultz, Swoboda, Tesmer,

Thompson, Tregoning, Turba, Underheim, Van Gorden, Vergeront, Volk, Walling, Welch, Wimmer, Wood, York, Zeuske and Zweck — 56.

Absent or not voting — Potter, Travis and Vanderperren — 3.

Motion failed.

The question was: Shall assembly amendment 1 to **Assembly Bill 642** be adopted?

The roll was taken.

The result follows:

Ayes — Berndt, Bolle, Bradley, Brancel, Brandemuehl, Byers, Coleman, Deininger, Farrow, Foti, Gard, Goetsch, Grobschmidt, Hasenohrl, Hauke, Holperin, Hubler, Huelsman, Johnsrud, Junkermann, Krug, Krusick, Ladwig, Larson, Lepak, Margaret Lewis, Linton, Looby, McEssy, Musser, Nelsen, Ott, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Robinson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Shoemaker, Swoboda, Tesmer, Thompson, Tregoning, Turba, Underheim, Van Gorden, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wood, York, Zeuske, Zweck and Speaker Loftus — 66.

Noes — Antaramian, Barca, Barrett, Becker, Bell, Black, Bock, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Gronemus, Gruszynski, Hamilton, Holschbach, Kunicki, Mark Lewis, Magnuson, Medinger, Merkt, Neubauer, Notestein, Roberts, Robson, Seery, Van Dreel, Wineke and Young — 31.

Absent or not voting — Travis and Vanderperren — 2.

Motion carried.

Representative Van Dreel asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

The question was: Shall **Assembly Bill 642** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 642** be given a third reading.

Representative Gronemus objected.

Representative Hauke moved that the rules be suspended and that **Assembly Bill 642** be given a third reading.

Representative Fortis asked unanimous consent to be made a coauthor of **Assembly Bill 642**. Granted.

The question was: Shall the rules be suspended and **Assembly Bill 642** be given a third reading?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bock, Bolle, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Clarenbach, Coggs, S., Coleman, Deininger, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Huelsman, Johnsrud, Junkermann, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Magnuson, Medinger, Merkt, Musser, Nelsen, Neubauer, Notestein, Ott, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robinson, Robson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Tregoning, Turba, Underheim, Van Dreel, Van Gorden, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, York, Young, Zeuske, Zweck and Speaker Loftus — 95.

Noes — Coggs, M. and Gronemus — 2.

Absent or not voting — Travis and Vanderperren — 2.

Motion carried.

The question was: **Assembly Bill 642** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bock, Bolle, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Coggs, S., Coleman, Deininger, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Huelsman, Johnsrud, Junkermann, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Magnuson, Medinger, Merkt, Musser, Nelsen, Neubauer, Notestein, Ott, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robinson, Robson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Tregoning, Turba, Underheim, Van Dreel, Van Gorden, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, York, Young, Zeuske, Zweck and Speaker Loftus — 94.

Noes — Clarenbach, Coggs, M. and Gronemus — 3.

Absent or not voting — Travis and Vanderperren — 2.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 642** be immediately messaged to the senate. Granted.

Assembly Bill 651

Relating to authorizing a solid waste management board to collect a fee for the disposal of solid waste to fund waste reduction and recovery activities.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 651** offered by Representative Medinger.

Representative Hauke asked unanimous consent that **Assembly Bill 651** be laid on the table. Granted.

Assembly Bill 657

Relating to use of videotaped statements of children at preliminary examinations.

The question was: Shall assembly amendment 1 to **Assembly Bill 657** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 657** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 657** be given a third reading. Granted.

The question was: **Assembly Bill 657** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 657** be immediately messaged to the senate. Granted.

Assembly Bill 683

Relating to extended juvenile court jurisdiction.

Representative Hauke asked unanimous consent that **Assembly Bill 683** be laid on the table. Granted.

Assembly Bill 692

Relating to prepayment of witness fees.

The question was: Shall **Assembly Bill 692** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 692** be given a third reading. Granted.

The question was: **Assembly Bill 692** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 692** be immediately messaged to the senate. Granted.

Assembly Bill 823

Relating to establishing a speed limit of 65 miles per hour for certain freeways.

Representative Hauke asked unanimous consent that **Assembly Bill 823** be laid on the table. Granted.

Assembly Bill 449

Relating to the milk fat content of whey cream.

Assembly amendment 1 to senate amendment 1 to **Assembly Bill 449** offered by Representatives Turba, Gronemus, Tregoning and Nelsen.

The question was: Shall assembly amendment 1 to senate amendment 1 to **Assembly Bill 449** be adopted?

Motion carried.

The question was: Shall senate amendment 1 to **Assembly Bill 449** be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 449** be immediately messaged to the senate. Granted.

Senate Bill 4

Relating to granting parole.

The question was: Shall assembly amendment 1 to **Senate Bill 4** be adopted?

Motion carried.

Assembly amendment 2 to **Senate Bill 4** offered by Representative Gard.

Assembly amendment 1 to assembly amendment 2 to **Senate Bill 4** offered by Representative Gard.

Representative Gard asked unanimous consent that assembly amendment 2 to **Senate Bill 4** be laid on the table. Granted.

Assembly amendment 3 to **Senate Bill 4** offered by Representatives Wood and Schneiders.

The question was: Shall assembly amendment 3 to **Senate Bill 4** be adopted?

Motion carried.

The question was: Shall **Senate Bill 4** be ordered to a third reading?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 4** be given a third reading. Granted.

The question was: **Senate Bill 4** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 4** be immediately messaged to the senate. Granted.

Senate Bill 90

Relating to destruction or transfer of district attorney records.

The question was: Shall **Senate Bill 90** be ordered to a third reading?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 90** be given a third reading. Granted.

The question was: **Senate Bill 90** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 90** be immediately messaged to the senate. Granted.

Senate Bill 387

Relating to mayoral appointments, certain public offices, budget procedures and parking revenues in 1st class cities.

Assembly amendment 1 to assembly amendment 1 to **Senate Bill 387** offered by Representative S. Coggs.

The question was: Shall assembly amendment 1 to assembly amendment 1 to **Senate Bill 387** be adopted?

Motion carried.

The question was: Shall assembly amendment 1 to **Senate Bill 387** be adopted?

Motion carried.

Assembly amendment 2 to **Senate Bill 387** offered by Representatives Krug and Young.

The question was: Shall assembly amendment 2 to **Senate Bill 387** be adopted?

Motion carried.

The question was: Shall **Senate Bill 387** be ordered to a third reading?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 387** be given a third reading. Granted.

The question was: **Senate Bill 387** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 387** be immediately messaged to the senate. Granted.

Senate Bill 211

Relating to providing penalties for fraud against city, village and county housing authorities.

The question was: Shall **Senate Bill 211** be ordered to a third reading?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 211** be given a third reading. Granted.

The question was: **Senate Bill 211** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 211** be immediately messaged to the senate. Granted.

Senate Bill 476

Relating to establishing a speed limit of 65 miles per hour for certain freeways.

Assembly substitute amendment 1 to **Senate Bill 476** offered by Representative Hubler.

Assembly amendment 1 to assembly substitute amendment 1 to **Senate Bill 476** offered by Representative Hubler.

Representative Tregoning moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Senate Bill 476**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Senate Bill 476** be rejected?

The roll was taken.

The result follows:

Ayes — Berndt, Bolle, Boyle, Brandemuehl, Clarenbach, Farrow, Foti, Gard, Grobschmidt, Hasenohrl, Hauke, Holperin, Johnsrud, Junkermann, Kunicki, Ladwig, Larson, Margaret Lewis, Mark Lewis, Merkt, Musser, Nelsen, Ott, Ourada, Panzer, Paulson, Porter, Prosser, Roberts, Robinson, Rosenzweig, Rutkowski, Schneider, Schneiders, Schultz, Shoemaker, Swoboda, Tesmer, Tregoning, Turba, Underheim, Van Gorden, Vergeront, Volk, Welch, Wimmer, York and Zweck — 48.

Noes — Antaramian, Barca, Barrett, Becker, Bell, Black, Bock, Bradley, Brancel, Byers, Carpenter, Coggs, M., Coggs, S., Coleman, Deininger, Fergus, Fortis, Goetsch, Gronemus, Gruszynski, Hamilton, Holschbach, Hubler, Huelsman, Krug, Krusick, Lepak, Linton, Looby, McEssy, Magnuson, Medinger, Neubauer, Notestein, Potter, Radtke, Robson, Schmidt, Schober, Seery, Thompson, Van Dreel, Walling, Williams, Wood, Young, Zeuske and Speaker Loftus — 48.

Absent or not voting — Travis, Vanderperren and Wineke — 3.

Motion failed.

Representative Tregoning moved that assembly amendment 1 to assembly substitute amendment 1 to **Senate Bill 476** be laid on the table.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Senate Bill 476** be laid on the table?

The roll was taken.

The result follows:

Ayes — Berndt, Bolle, Brandemuehl, Clarenbach, Coggs, S., Foti, Gard, Hasenohrl, Hauke, Holperin, Johnsrud, Junkermann, Kunicki, Ladwig, Larson, Margaret Lewis, Mark Lewis, Musser, Nelsen, Ott, Panzer, Paulson, Porter, Prosser, Roberts, Robinson, Rosenzweig, Rutkowski, Schultz, Swoboda, Tesmer, Tregoning, Turba, Van Gorden, Vergeront, Volk, Welch, Wimmer and Zweck — 39.

Noes — Antaramian, Barca, Barrett, Becker, Bell, Black, Bock, Boyle, Bradley, Brancel, Byers, Carpenter, Coggs, M., Coleman, Deininger, Farrow, Fergus, Fortis, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Holschbach, Hubler, Huelsman, Krug, Krusick, Lepak, Linton, Looby, McEssy, Magnuson, Medinger, Merkt, Neubauer, Notestein, Ourada, Potter, Radtke, Robson, Schmidt, Schneider, Schneiders, Schober, Seery, Shoemaker, Thompson, Underheim, Van Dreel, Walling, Williams, Wineke, Wood, York, Young and Speaker Loftus — 57.

Absent or not voting — Travis, Vanderperren and Zeuske — 3.

Motion failed.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Senate Bill 476** be adopted?

Motion carried.

Representative Mark Lewis moved rejection of assembly substitute amendment 1 to **Senate Bill 476**.

Representative Thompson asked unanimous consent that **Senate Bill 476** be placed at the foot of the thirteenth order of business on the calendar of Thursday, February 11.

Representative Hasenohrl objected.

Representative Thompson moved that **Senate Bill 476** be laid on the table.

Representative M. Coggs in the chair.

Representative Thompson withdrew his motion.

Representative Tregoning asked unanimous consent that **Senate Bill 476** be made a special order of business at 10:01 A.M. on Thursday, February 11.

Representative Hasenohrl objected.

Representative Thompson asked unanimous consent that **Senate Bill 476** be placed at the foot of the thirteenth order of business on the calendar of Thursday, February 11.

Representative Hasenohrl objected.

Representative Thompson moved that **Senate Bill 476** be placed at the foot of the thirteenth order of business on the calendar of Thursday, February 11.

Speaker Loftus in the chair.

The question was: Shall **Senate Bill 476** be placed at the foot of the thirteenth order of business on the calendar of Thursday, February 11?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Bell, Black, Bock, Bradley, Brandemuehl, Byers, Coggs, M., Coggs, S., Coleman, Deininger, Fortis, Foti, Gard, Goetsch, Gruszynski, Hamilton, Holschbach, Hubler, Junkermann, Krug, Kunicki, Ladwig, Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Merkt, Nelsen, Neubauer, Notestein, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Roberts, Robson, Rosenzweig, Rutkowski, Schneider, Schneiders, Schober, Schultz, Seery, Swoboda, Thompson, Tregoning, Turba, Underheim, Van Dreel, Vergeront, Walling, Welch, Williams, Wimmer, Wineke, Wood, York, Young, Zeuske and Speaker Loftus — 66.

Noes — Becker, Berndt, Bolle, Boyle, Brancel, Carpenter, Clarenbach, Farrow, Fergus, Grobschmidt, Gronemus, Hasenohrl, Hauke, Holperin, Huelsman, Johnsrud, Krusick, Larson, Lepak, Magnuson, Medinger, Musser, Paulson, Potter, Robinson, Schmidt, Shoemaker, Tesmer, Van Gorden, Volk and Zweck — 31.

Absent or not voting — Travis and Vanderperren — 2.

Motion carried.

Senate Bill 406

Relating to the disposal of yard waste.

The question was: Shall **Senate Bill 406** be ordered to a third reading?

Motion carried.

Representative Medinger asked unanimous consent that the rules be suspended and that **Senate Bill 406** be given a third reading. Granted.

The question was: **Senate Bill 406** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 406** be immediately messaged to the senate. Granted.

Representative Schmidt asked unanimous consent that the assembly adjourn in honor of all Vietnam veterans on the occasion of the 20th anniversary of the Tet Offensive. Granted.

Representative Van Dreel asked unanimous consent that the assembly adjourn in honor of Representative Vanderperren. Granted.

Representative Farrow asked unanimous consent that the assembly adjourn in memory of her mother, Margaret Nemitz, who passed away yesterday at the age of 89. Granted.

Representative Larson asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Junkermann. Granted.

Representative Bell asked unanimous consent that the assembly adjourn in honor of speed skater Dan Jansen of West Allis, who won the World Sprint Speed Skating Championships this weekend. Granted.

REFERENCE BUREAU CORRECTIONS

Assembly amendment 3 to **Assembly Bill 184**

In enrolling, the following correction was made:
Page 1, line 15: delete lines 15 to 17.

Assembly amendment 2 to **Assembly Bill 442**

In enrolling, the following correction was made:
Page 1, line 4: delete lines 4 to 6.

Note: Lines 4 to 6 are deleted to effectuate Assembly Amendment 5 (as affected by AA 1 to AA 5) which was adopted later.

Assembly Bill 681

Page 5, line 3: substitute "an" for "and".

Assembly Bill 901

Page 1, line 7: substitute "15.255" for "20.255".

Senate Bill 311

Page 81, line 16: substitute "or any" for "of any".

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Leon Holschbach from Beloit, guest of Representative Holschbach.

Mrs. Marjorie Peterson, Legislative Chairman, Mrs. Dorothy Dimond, President, Mrs. Lois Reinfeldt, President-Elect, and members of the Wisconsin Federation of Women's Clubs from throughout the

JOURNAL OF THE ASSEMBLY [February 9, 1988]

state, guests of Representative Coleman and all members of the assembly.

The question was: Shall the assembly stand adjourned?

Motion carried.

Representative Hauke moved that the assembly stand adjourned until 9:30 A.M. tomorrow.

The assembly stood adjourned.

3:10 P.M.